

Colin E. Schreck, Esq. (SBN: 246284)
SHOOK, HARDY & BACON L.L.P.
One Montgomery, Suite 2700
San Francisco, California 94104-4505
Telephone: 415.544.1900
Facsimile: 415.391.0281
cschreck@shb.com

DISCOVERY MATTER

Charles C. Eblen (*pro hac vice*)
Kristi L. Burmeister (*pro hac vice*)
SHOOK, HARDY & BACON L.L.P.
2555 Grand Blvd.
Kansas City, Missouri 64108
Telephone: 816.474.6550
Facsimile: 816.421-5547
ceblen@shb.com

Attorneys for Defendant
SIMPLEXGRINNELL LP

Mark C. Bauman (SBN: 252584)
BAUMAN LOEWE WITT & MAXWELL, PLLC
8765 E. Bell Road, Suite 204
Scottsdale, AZ 85260
Telephone: 480.502.4664
Facsimile: 480.502.4774
mbaum@blwmlawfirm.com

Attorney for Plaintiff
PHILADELPHIA INDEMNITY INS. CO.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

PHILADELPHIA INDEMNITY
INSURANCE COMPANY and
MID-CENTURY INSURANCE
COMPANY,

Plaintiffs,

vs.

SIMPLEX GRINNELL L.P.;
DOES 1-20, inclusive,

Defendants.

) Case No. CV-12-00567-PJH-NJV

) **JOINT STIPULATION REQUESTING**
) **THAT DISCOVERY HEARING BE**
) **VACATED AND [PROPOSED] ORDER**

) Date: October 30, 2012

) Time: 10:00 a.m.

) Judge: Honorable Nandor J. Vadas

) Location: TBD

) Complaint Filed: December 30, 2011

Through this joint stipulation, Plaintiff Philadelphia Indemnity Insurance Company agrees to the withdrawal of Defendant SimplexGrinnell LP's motion to compel, filed on September 14, 2012, Docket No. 38. The parties further agree and request that the hearing set for October 30, 2012 be taken off calendar.

Respectfully submitted:

Dated: October 11, 2012

SHOOK, HARDY & BACON L.L.P.

By: /s/ COLIN E. SCHRECK
Colin E. Schreck, Esq.
Attorneys for Defendant
SIMPLEXGRINNELL LP

Dated: October 11, 2012

BAUMAN LOEWE WITT & MAXWELL, PLLC

By: /s/ MARK C. BAUMAN
Mark C. Bauman, Esq.
Attorneys for Plaintiff
Philadelphia Indemnity Ins. Co.

Pursuant to Local Rule 5-1(i)(3), the below filer attests that concurrence in the filing of this document has been obtained from the above signatories.

Dated: October 11, 2012

By: /s/ COLIN E. SCHRECK
Colin E. Schreck, Esq.

[PROPOSED] ORDER

Based on the parties' representation that Court intervention is no longer requested to resolve this dispute, the hearing set for October 30, 2012 in this matter is hereby taken off calendar.

IT IS SO ORDERED:

Dated: October 12, 2012



HONORABLE NANDOR J. VADAS
UNITED STATES MAGISTRATE JUDGE